

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Backward Classes Welfare Department – Establishment – Kadapa District - Sri.K.Jaya Prasada Raju, Teacher, Working as HWO Grade-II on deputation basis – Repatriated to Parent Department i.e., Education Department – Request for revocation of repatriation orders and continuation in BC Welfare Department – Request accepted – Orders – Issued.

Backward Classes Welfare (A) Department

G.O.Rt.No. 76

Dated: 26.2.2009
Read the Following:-

1. Proceedings of the District Collector, Kadapa, Rc.No.A1/01/2007, dt:15.6.2008
2. From the Director, BC Welfare, Memo.No.A1/2005/2007, dt:26.6.2008
3. Interim Orders of APAT dt.11.7.2008 in O.A.No.5255/2008.
4. Representation of Sri.K.Jaya Prasada Raju, Gr-II, HWO, Govt., BC Boys Hostel, Tallapaka received through M(BCW), Endt.No.Trfs-229/M(BCW)/08, dt:30.8.2008 & 17.9.2008
5. Govt., Memo.No.4399/A/2008-1, BC Welfare (A) Dept., dt:25.9.2008
6. Note received from the M(BCW), D.O.Lr.No.Trfs-241/M(BCW)/2008, dt:18.11.2008
7. Govt., Memo.No.5396/A/2008-1, BC Welfare (A) Dept., dt:21.11.2008
8. From the Director, BC Welfare, Lr.Rc.No.A1/7607/2008, dt:18.12.2008

ORDER:

Sri.K.Jaya Prasasda Raju, HWO, filed O.A.No.2055/2007 before the APAT with a prayer to direct the respondents to absorb his services as HWO in BC Welfare Department. The APAT in its interim order, dt:13.4.2007 has directed the Govt., to pass orders on the proposal of the Director, BC Welfare, within a period of 8 weeks from the date of the receipt of the order. In Govt., Memo.No.1422/A/2007-2, dt:5.9.2007, the individual was informed that as per APBC Welfare Subordinate Service Rules issued in G.O.Ms.No.36, BC Welfare (P2) Department, dt:9.7.1996 read with G.O.Ms.No.4, BC Welfare (P2) Department, dt:18-1-2001, the appointment to the post of HWO, Grade-II shall be by promotion from the category of Class-IV Employees of BC Welfare Hostels / Department and by transfer of Teachers of BC Welfare Department. The proportion in which the vacancy shall be filled or reserved to be filled by direct recruitment, by promotion from the post of Class-IV and by transfer of teacher shall be 8:1:1. As per these service rules, there is no provision for the appointment of teachers working in PR/Education Department as HWOs, Grade-II in BC Welfare Department. Unless and until the above rules are amended, it is not possible to consider the request of the applicant for absorption in the BC Welfare Department. It is clearly mentioned in Govt. Memo.No.2877/A/2001, dt:16-9-2004, that the absorption of teachers working on deputation as HWO, Grade-II is subject to amendment of necessary rules prescribed in G.O.Ms.No.36, BC Welfare (P2) Department, dt:9.7.1996 read with G.O.Ms.No.4, BC Welfare (P2) Department, dt:18-1-2001. The applicant was informed that his request for absorption of services as HWO Grade-II is not feasible of compliance with and the same was rejected.

2. During the surprise visit of Government BC Boys Hostel, Tallapaka on 27.12.2007 by the Hon'ble MLAs, Rajampet in Sankshema Bata Programme, certain irregularities were noticed in the administration of the Hostel. Sri.C.J.Prasada Rao, HWO, was working in that Hostel. In the Proceedings 1st read above, Sri.C.J.Prasada Rao, GBCBH, Tallapaka was transferred to GBCBH, Chakrayapet vice Sri.K.Jaya Prasada Raju and on relief, Sri.K.Jaya Prasada Raju, was transferred to GBCBH, Tallapaka in the resultant vacancy on administrative grounds. However, Sri.K.Jaya Prasada Raju has not joined in the place of posting.

3. In the Memo 2nd read above, the Director, BC Welfare has repatriated the services of Sri.K.Jaya Prasada Raju, HWO to his Parent Dept., i.e., Education Dept., based on the request of the District Collector, Kadapa. Aggrieved by the repatriation orders, the individual has filed O.A., before the Tribunal. The APAT in its interim order 3rd read above, has directed to maintain status-quo in respect of the applicant. In the reference 4th read above, Sri.K.Jaya Prasada Raju, has requested the Govt., to cancel the repatriation orders and issue necessary orders to continue him as HWO, Gr-II in Kadapa District. In the Govt., Memo 5th read above, while enclosing the representation of the individual and the interim directions of Hon'ble Tribunal, the District Collector, Kadapa was requested to take appropriate action on the interim directions of the Tribunal as per rules.

4. In the reference 8th read above, the Director, BC Welfare has submitted a detailed report in the matter. Govt., after examining the matter in detail have observed that Sri.K.Jaya Prasada Raju, has been working as HWO on deputation basis since 9.4.2002 and he has completed about 61/2 years as HWO in BC Welfare Department. There is a proposal with the Government to absorb the services of Teachers working on deputation in BC Welfare Department. It was therefore decided to allow the appeal of the individual by revoking the repatriation orders issued by the Director, BC Welfare as a special case, subject to obtaining an undertaking from the individual for withdrawal of the O.A filed by him against his repatriation orders.

5. Accordingly, Government hereby revoke the repatriation orders issued by the Director, BC Welfare in his Memo 2nd read above and also direct him that Sri.K.Jaya Prasada Raju, be continued as Hostel Welfare Officer on deputation basis in BC Welfare Department, subject to obtaining an undertaking from the individual for withdrawal of the O.A filed by him against his repatriation orders.

6. The Director, BC Welfare/ District Collector, Kadapa shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.SATYANARAYANA RAO
SECRETARY TO GOVERNMENT**

To
The Director, BC Welfare, AP, Hyderabad
The District Collector, Kadapa
The Individual through District Collector, Kadapa
The District BC Welfare Officer, Kadapa
The DTO, Kadapa

Copy to:
The PS to M(BCW)
The PS to Secretary, BCWD
The PA to JS
SF/SC

//Forwarded by order//

Section Officer